

AMENDMENTS TO THE CLAIMS

Claim 1 (Previously Presented): A dry toner for developing electrostatic images, comprising a colorant and a binder resin,

wherein said binder resin comprises a copolymer resin having

(A) a polyol resin moiety having a main chain of polyoxyalkylene and obtained by reaction of

(a) an epoxy resin,

(b) a dihydric phenol, and

(c) an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof; and

(B) a polyester resin moiety obtained by reacting an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof with a polycarboxylic acid,

wherein the weight ratio of said epoxy resin of said polyol resin moiety to said polyester resin moiety is 95:5 to 60:40,

wherein said epoxy resin of said polyol resin moiety includes at least two bisphenol epoxy resins having different number-average molecular weights, and wherein said binder resin has an acid value of not greater than 5.

Claim 2 (Original): A dry toner as claimed in claim 1, wherein said binder resin has an epoxy value of at least 20,000.

Claim 3 (Original): A dry toner as claimed in claim 1, wherein said binder resin has an acid value of not greater than 1.

Claim 4 (Original): A dry toner as claimed in claim 1, wherein said polycarboxylic acid of said polyester resin moiety is a dicarboxylic acid.

Claim 5 (Previously Presented): A dry toner as claimed in claim 1, wherein said epoxy resin of said polyol resin moiety is a mixture of a lower molecular weight epoxy resin having a number-average molecular weight of 360 to 2,000 and a higher molecular weight epoxy resin having a number-average molecular weight of 3,000 to 10,000.

Claim 6 (Original): A dry toner as claimed in claim 1, wherein said polyester resin moiety has a number-average molecular weight of 500 to 2,000.

Claim 7 (Original): A dry toner as claimed in claim 1, wherein said copolymer resin is obtained by reaction of

- (a) an epoxy resin,
- (b) a dihydric phenol,
- (c) an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof,
- (d) a polyester resin obtained by reacting an alkylene oxide adduct of a dihydric phenol or a glycidyl ether thereof with a polycarboxylic acid, and
- (e) a monohydric phenol or a monocarboxylic acid.

Claim 8 (Canceled)

Claim 9 (Previously Presented): A dry toner as claimed in claim 1, wherein the copolymer resin has a softening point of 100 to 130°C.

Claim 10 (Previously Presented): A dry toner as claimed in claim 1, wherein (a), (b) and (c) are present in an (a):(b):(c) weight ratio of 25-70 : 10-40 : 15-40.

Claim 11 (Previously Presented): A dry toner as claimed in claim 1, wherein the copolymer resin has a Tg of 50 to 70°C.

Claim 12 (Previously Presented): A dry toner as claimed in claim 1, wherein the copolymer resin has a Tg of 55 to 70°C.

Claim 13 (Previously Presented): A dry toner as claimed in claim 1, further comprising a releasing agent having a softening point of 70 to 100°C.

Claim 14 (Previously Presented): A dry toner as claimed in claim 1, further comprising a releasing agent in an amount of 1 to 6% by weight based on the total weight of the toner.

Claim 15 (Previously Presented): A dry toner as claimed in claim 1, wherein the colorant is present in an amount of 0.1 to 50 parts by weight per 100 parts by weight of the binder resin.

Claim 16 (Previously Presented): A dry toner as claimed in claim 1, further comprising a charge controlling agent.

Claim 17 (Previously Presented): A two component developer, comprising the dry toner as claimed in claim 1 and a carrier.

Claim 18 (Previously Presented): A two component developer as claimed in claim 17, wherein the toner is present in an amount of 0.5 to 6.0 parts by weight per 100 parts by weight of the carrier.

Claim 19 (Previously Presented): A two component developer as claimed in claim 17, wherein the carrier is in the form of particles coated with a resin.

SUPPORT FOR THE AMENDMENTS

This Amendment cancels Claim 8. No new matter would be introduced by entry of this amendment.

Upon entry of this amendment, Claims 1-7 and 9-19 will be pending in this application. Claim 1 is independent.

REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph. The Final Rejection asserts:

Claim 8 is indefinite in the phrase "an electrophotographic apparatus comprising a toner vessel *in* the apparatus" because it is not clear what is the structural relationship between the apparatus and the toner vessel. The claim does not recite *any* structural relationship between the apparatus and the toner vessel. Final Rejection at page 3, section 5, lines 5-10 (emphasis added).

Yet, as emphasized in M.P.E.P. § 2173.02:

The test for definiteness under 35 U.S.C. 112, second paragraph, is whether "those skilled in the art would understand what is claimed when the claim is read in light of the specification." M.P.E.P. § 2173.02, page 2100-206, column 1.

In Claim 8 the toner vessel is structurally related to the electrophotographic color image forming apparatus by being "in" the electrophotographic color image forming apparatus. Because the skilled artisan would understand what is being claimed in Claim 8, Claim 8 is not indefinite. Nevertheless, to expedite prosecution and obviate the rejection, Claim 8 is canceled.

Applicants thank the Examiner for the indication that Claims 1-7 and 9-19 are allowed. Final Rejection at Office Action Summary.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

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